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37 C.F.R. 1.8

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June 14, 2004  
Date

Steven L. Highlander

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eric N. Olson et al.

Serial No.: 09/061,417

Filed: April 16, 1998

For: METHODS AND COMPOSITIONS FOR  
THERAPEUTIC INTERVENTION IN  
CARDIAC HYPERTROPHY

Group Art Unit: 1642

Examiner: M. Davis

Atty. Dkt. No.: MYOG:029US/SLH

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**MAIL STOP: AF**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed March 18, 2004, finally rejecting claims 1, 4 and 9.

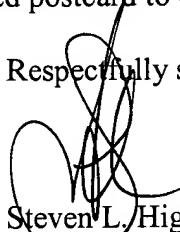
The fee for filing this Notice of Appeal is \$165 and is attached hereto.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an

overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/10017631/SLH.

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Respectfully submitted,

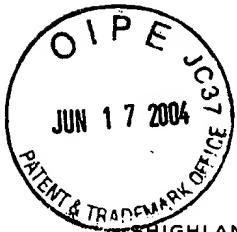
  
Steven L. Highlander

Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 536-3184

Date: June 14, 2004



# FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

SHIGHLANDER@FULBRIGHT.COM  
PARTNER  
DIRECT DIAL: (512) 536-3184

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

June 14, 2004

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Steve L. Highlander

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-01450

Re: Serial Number 09/061,417 entitled "METHODS AND COMPOSITIONS FOR THERAPEUTIC INTERVENTION IN CARDIAC HYPERTROPHY" Eric N. Olson et al.  
(Client Ref. No. UTSMC/DAL:548)  
Our ref: MYOG:029US

Commissioner:

Enclosed for filing in the above-referenced patent application is:

- (1) A Notice of Appeal From the Primary Examiner to the Board of Patent Appeals and Interferences;
- (2) A check for \$165.00 as the fee for the Notice of Appeal; and
- (3) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

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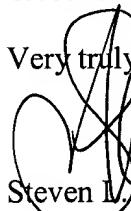
COMMISSIONER FOR PATENTS

June 14, 2004

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Very truly yours,

  
Steven L. Highlander

SLH/cpj  
Encl: As noted